



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/998,795

12/03/2001

Steven G. Henry

10016443-1

7073

7590

03/17/2006

HEWLETT-PACKARD COMPANY

Intellectual Property Administration

P.O. Box 272400

Fort Collins, CO 80527-2400

EXAMINER

GREENE, SABRINA LETICIA

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                         |  |
|------------------------------|--------------------------------------|-----------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/998,795 | <b>Applicant(s)</b><br>HENRY, STEVEN G. |  |
|                              | <b>Examiner</b><br>Greene L. Sabrina | <b>Art Unit</b><br>2173                 |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

The amendment filed on 21 December 2005 have been received and entered.

Claims 1-31 are pending in the application.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 5, 14-15, 23, 24 and 26-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Rudd et al. (US 6,934,915).

#### **As per Claims 1, 15, 24 and 26-29:**

2. Rudd et al. teach a method and a electronic apparatus for displaying network data, comprising:

Receiving network data at an appliance operatively associated with a network, network data being from another device connected to the network, receiving occurring appliance is in an inactive mode; (Col. 3, lines 20-26), where the electrical devices and the computing devices can be connected to a network that comprises on or more sub-networks that are communicatively coupled to each other. Further, the data determining the mode of an appliance is also presented to a user (Col. 10, lines 44-47).

Displaying at least a portion of network data on electronic display apparatus operatively associated with appliance, electronic display apparatus allowing for user interaction with and operation of appliance, wherein electronically displaying data is not a primary function of appliance; (Col. 4, lines 10-16), where the appliance is not primarily a display but a multi function device and options are presented to the user via the display and with which the user can send commands to the electrical devices.

Allowing a user to operate appliance to respond to at least a portion of network data on the electronic display apparatus; (Col. 1, lines 60-67 and Col. 2 lines 1-10), where a user can customize an appliance to control operations to respond to the network on the electrical display device.

**As per Claim 5:**

3. Rudd et al. teach displaying at least a portion of network data on electronic display apparatus operatively associated with an appliance comprises displaying the at least a portion of network data on a display panel of an appliance; (Col. 3, lines 9-19), where the electronic device displays data related to an appliance.

**As per Claims 14 and 23:**

4. Rudd et al. teach an appliance is physically linked to the network; (See Fig. 1), where different appliance are linked to the network by a user.

**As per Claim 30:**

5. Rudd et al. teach an appliance comprises scanner apparatus; (Col. 2, lines 57-66), where multi-function devices such as a scanner is used with another appliance.

**As per Claim 31:**

6. Rudd et al. teach providing additional network data to the user comprises printing at least a portion of additional network data; (Col. 2, lines 57-66), where multi-function devices and in this case a printer is used for printing related network data.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-4, 6-13, 16-22, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rudd et al. and Kloba et al. (WO 01/18688 A2).

8. The difference between the claims and Rudd et al. is the claims recites a network comprising advertisements, textual data, graphical data and a user is able to interact with devices by requesting more data.

Kloba et al. teach a system and method to interact with devices similar to that of Rudd et al. In addition, Kloba et al. further teaches a network that can display different types of data and user being able to interact with the devices.

**As per Claims 2 and 19:**

9. Kloba et al. teach a portion of network data comprises an advertisement; (Pg. 1, lines 24-29), where web content can be loaded on a device. The web content can consist of an advertisement.

**As per Claims 3 and 21:**

10. Kloba et al. teach a portion of network data comprises network textual data; (Pg. 1, lines 24-29), where web content can be loaded on a device. The web content can consist of textual data.

**As per Claims 4 and 20:**

11. Kloba et al. teach a portion of said network data comprises network graphical data; (Pg. 10, lines 14-17), where web content can be loaded on a device. The web content can consist of graphical data.

**As per Claims 6, 16 and 25:**

12. Kloba et al. teach allowing a user to request more information from said another device and providing additional network data to the user. The additional network data being from another device and being based at least in part on the user's request for more information; (Pg. 8, lines 3-8), where a user can communicate with a communication protocol that collects requests and responses to the network.

**As per Claim 7:**

13. Rudd et al. teach providing additional network data to the user comprises printing at least a portion of additional network data; (Col. 2, lines 57-66), where multi-function devices and in this case a printer is used for printing related network data.

**As per Claim 8:**

14. Kloba et al. teach providing additional network data to the user comprises receiving additional network data at appliance; (Pg. 7, lines 5-9), where a device operates in conjunction with a web server; web pages can be loaded, viewed, cached

and deleted.

**As per Claim 9:**

15. Kloba et al. teach providing additional network data to the user comprises displaying at least a portion of additional network data on the electronic display apparatus operatively associated with an appliance; (Pg. 7, lines 5-9), where a device operates in conjunction with a web server and web pages are displayed on the device GUI.

**As per Claim 10:**

16. Kloba et al. teach providing additional network data to the user comprises receiving additional network data at an email account; (Pg. 17, lines 10-12), where notifications or messages are received in an email account to the user.

**As per Claims 11 and 17:**

17. Kloba et al. teach allowing a user to request more information from another device comprises allowing a user to email the request for more information to another device; (Pg. 17, lines 1-8), where a user can request information on a specific topic from another device through email.

**As per Claims 12,18 and 22:**

18. Kloba et al. teach determining whether an appliance is in an active mode, if an appliance is not receiving network data from another device if it is determined that the appliance is in the active mode; (See Fig. 60), where a user can determine or retrieve content from a server if an appliance is attached or downloaded properly to a device.

The user can also disable the connection to another appliance or cancel the downloading.

**As per Claim 13:**

19. Kloba et al. teach determining whether an appliance is in an active mode, electronic display apparatus not displaying the at least a portion of network data if it is determined that the appliance is in the active mode; (See Fig. 60), where from the display on the device the user can determine whether the connected appliance is in active mode.

20. It would have been obvious to one of ordinary skill in the art, having the teachings of Rudd et al. and Kloba et al. before him at the time the invention was made, to modify the system and method for personalizing an electrical device interface taught by Rudd et al. to include the interactive interface of Kloba et al, in order to obtain an apparatus and method that displays network data with an appliance that is operatively associated with a network.

One would have been motivated to make such a combination because systems and methods, computer program products, and combinations for enabling web content to be displayed on a device that user are able to interact with such as sending or retrieving email. Further, Rudd et al. display would have been improved if the data from Kloba et al. were added to the GUI of Rudd et al.

***Response to Arguments***

21. Applicant's arguments filed 21 December 2005 have been fully considered but they are not persuasive. There is not a sufficient showing of facts to determine if the



present invention defined by the claims was actually conceived before the 9 October 2001, filing date of Rudd et al (US 6,934,915).

The showing of facts shall be such, in character and weight, as to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from prior to date to a subsequent reduction to practice or to the filing of the application. Original exhibits of drawings or records, or photocopies thereof, must accompany and form part of the affidavit or declaration or their absence satisfactory explained.

The Applicant Kloba arguments are not persuasive. Since the Rudd reference teaches the limitations, the rejections made with the combination of Rudd and Kloba are not in error.

22. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

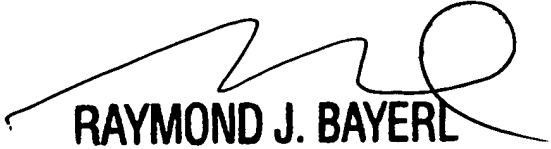
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sabrina L. Greene whose telephone number is 571-272-8629. The examiner can normally be reached on 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SG



**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**